

The opinion in support of the decision being
entered today is not binding precedent of the Board.

25

Paper

Filed by: Trial Sections Motion Panel
Box Interference
Washington, DC 20231
Tel: 703-308-9797
Fax: 703-305-0942

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

MAILED

DEC 12 2001

INGRID W. CARAS
Junior Party,
Application 08/635,130

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

SAMUEL DAVIS, NICHOLAS W. GALE
and GEORGE D. YANCOPOULOS

Senior Party
Application 09/051,994

Patent Interference No. 104,563

JUDGMENT PURSUANT TO 37 CFR § 1.662

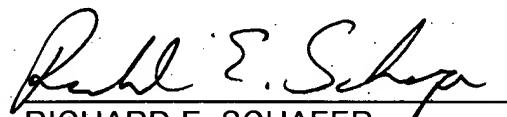
Junior party Caras has filed a paper "[p]ursuant to 37 C.F.R. § 1.662(a) ...
[requesting] the Board's entry of an adverse judgment against Caras in this interference"
(Paper 25). Accordingly, it is

ORDERED that judgment on priority as to the subject matter of Count 1 (Paper 1),
p. 5) is awarded against the junior party, INGRID W. CARAS;

FURTHER ORDERED that junior party, INGRID W. CARAS, is not entitled to a patent containing claims 3, 9, 12–17, 40 and 42 (corresponding to Count 1) of Application 08/635,130;

FURTHER ORDERED that a copy of this judgment be made of record in Application 08/635,130 and the file of Application 09/051,994; and

FURTHER ORDERED that if there is a settlement agreement which has not been filed, attention is directed to 35 U.S.C. § 135(c) and 37 CFR § 1.661.

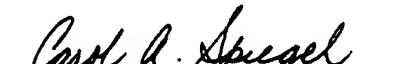


RICHARD E. SCHAFER)
Administrative Patent Judge)



RICHARD TORCZON)
Administrative Patent Judge)

BOARD OF PATENT
APPEALS AND
INTERFERENCES



CAROL A. SMEIGEL)
Administrative Patent Judge)

cc: (via fax and First Class Mail):

Attorney for Caras
(real party in interest,
Genentech, Inc.):

Ned A. Israelsen, Esq.
Brenton R. Babcock, Esq.
Ginger R. Dreger, Esq.
KNOBBE MARTENS OLSON & BEAR LLP
620 Newport Center Drive, Suite 1600
Newport Beach, California 92660

Tel: 949-760-0404
Fax: 949-760-9502
E-mail: nisraelsen@kmob.com

Attorney for Davis
(real party in interest,
Regeneron Pharmaceuticals, Inc.):

Eugene Moroz, Esq.
Kurt E. Richter, Esq.
MORGAN & FINNEGAN, LLP
345 Park Avenue
New York, NY 10154

Tel: 212-758-4800
Fax: 212-751-6849
E-mail: emoroz@morganfinnegan.com